

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta-Simeone, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Robert J. Saiia, Mbr.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



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Minutes
Information Meeting
EPG Solar, 194 Electric Avenue
January 23, 2012

Handwritten notes and signatures:
DAD-S
TB, R.J.S.
MOZ
EAB

Meeting Posted: Yes

Time: 6:30 PM

Place: Town Hall, 17 Main Street, Lunenburg, MA 01462

Present: Emerick R. Bakaysa, Chair, Joanna L. Bilotta-Simeone, Vice Chair, Thomas W. Bodkin, Jr., Robert J. Saiia, Nathan J. Lockwood, Marion M. Benson, Planning Director

The Information Meeting opened with the Chair reading the legal notice advertised in the Sentinel & Enterprise, January 16, 2012. The Information Meeting was to hear and discuss an application for a Development Plan Review under Section 8.4. of the Protective Bylaw of the Town of Lunenburg for construction of a ground-mounted solar energy facility at 194 Electric Avenue.

The Applicant, EPG Solar, was represented by Michael Borkowski and Robert Babcock, Managing Partners. The proposed project site is owned by Twin City Baptist Church (TCBC). EPG has a 30-year lease agreement with TCBC for 20 acres of the 188 acre parcel and will have a decommission bond for removal of equipment at the end of the 30 years. EPG states that over the course of its life it will bring approximately \$1 Million into the Town in revenue. The 20 acres are open fields located behind TCBC and between Pleasant Street and West Street. EPG will have setbacks of up to 75-100 feet to leave recreational space for neighbors and individuals will still be able to access abutting Town owned property. Evergreens and shrubbery will provide screening. An eight foot fence will be located on the site side of the plantings. For added screening, climbing vines are a possibility on the fencing. Infrared cameras will be used for security. Solar panels are three by five feet. Lowest point is approximately two to three feet off the ground and highest point at eight to ten feet. Panel rows will be oriented east-west, with a 35° angle facing the south. Field will carry 3 Megawatts of electricity. The type panel being used has zero environmental toxins. No pesticides will be used for weed control. Front gate will be located on the west side. Anticipated construction time is three to four months. All wiring will be underground. At the January 9, 2012 Planning Board meeting Mr. Saiia inquired as to how the solar farm would affect housing valuations. EPG noted there are no studies indicating effect on housing values as solar farms have not been in existence for any length of time. Mr. Borkowski has provided a wind study to the Town noting no impact on home values.

Mr. Lockwood inquired as to unit cost per panel. Mr. Bakaysa is concerned with impact on neighborhood aesthetics and inquired if consideration had been given to deforesting part of the TCBC property to give the applicant the desired 20 acres that would be less obtrusive to the neighborhood. EPG responded there is not a lot of TCBC property between the houses and the power lines as they go through the woods. There is also a gas pipe and easement. Mr. Bakaysa is looking for more information as to screening and stormwater management, as noted in Marsden Engineering review letter. Ms. Bilotta-Simeone looking for screening so panels are not visible to abutters. Mr. Bakaysa concurred with EPG that no studies are available regarding effect on housing values as solar farms are relatively new.

Reviewing Engineer Steve Marsden referred to his review letters of January 9th and January 23rd (on file in Planning Office). Drainage calculations and screening still need to be addressed. A Stormwater Protection Plan also needs to be submitted. Two downstream abutters have significant drainage problems which should be addressed. There are various ways to screen to make

it more aesthetically pleasing to abutters. Ms. Benson noted that the applicant is meeting with the Conservation Commission January 24th. Ms. Bilotta-Simeone asked Mr. Marsden if the snow/rain will just run off the panels. Mr. Marsden noted that the same amount of rain will fall on the field as before the panel installation, but with less land for the rain to hit and absorb as quickly there may be some increased rate of runoff. Stone slip-trenches may be required for water infiltration between the panel rows. Mr. Marsden has recommended swales and detention basins.

Mr. Bodkin Jr. asked Mr. Marsden his suggestions for screening other than evergreens. Mr. Marsden mentioned the possibility of an earthen berm. He noted that with minor changes to the earth, undulating screening is possible and not as noticeable as a straight 8 foot high fence. The applicant is willing to work with Mr. Marsden on screening and Ms. Benson requested this be shown on a landscape plan.

Mr. Belisle, 642 West Street- read attached letter to the Lunenburg Planning Board and is looking for responses from the Planning Board.

Paulette Beardmore, 282 Pleasant Street- voiced her displeasure with past and ongoing development that has affected the Pleasant Street neighborhood. She feels the only benefit of a solar farm at this site would be to the owner of TCBC. She requested the Board reconsider the project and the impact to the Town.

Celeste McCain, 275 Pleasant Street- concurred with Ms. Beardmore and presented a citizen petition to the Board.

Kristen Burns, 634 West Street- inquired if firefighters needed special training in case of a fire within a solar farm. Mr. Borkowski noted no special training is required; the farm consists of non-flammable devices. She was also concerned with market values.

John Whalen, 526 West Townsend Road- concerned with the possibility of other solar farms being erected in Lunenburg. Inquired if Chase Road and Electric Avenue proposed solars are on different grids. Also concerned with how these projects would affect the Town project for the Youngs Road landfill.

David Prokowiew, 733 West Street- asked for clarification on other solar farms tying into UNITIL. Mr. Borkowski noted that UNITIL structure is there. Mr. Prokowiew also voiced his displeasure with the proposed project.

Robert Elder, 325 Pleasant Street- concerned with drainage at both top and bottom of hill.

Gregory Bittner, 129 Pleasant Street- concerned with aesthetics of the project.

Citizens brought up the possibility of having the project divided into sections.

Maria Maki, 714 West Street- feels the screening won't cover the solar panels and also feels a buzzing noise will be emitted.

Mr. Prokowiew inquired if lease could be renewed at the end of the 30 year term. Yes. He also felt the Town could fight this legally. Mr. Bakaysa noted he has requested a meeting with the Select Board and Green Community Task Force to develop renewable energy goals for the Town. The goal is to come before May 2012 Town Meeting with a plan to present to the community.

Mr. Whalen read the attached e-mail to the Planning Board. He also read, on behalf of another citizen, a correspondence from Representative Benson. This correspondence was not provided to the Planning Board.

As the Planning Board still requires additional information from EPG, Motion was made to continue the Information Meeting until all necessary information is received, Ms. Bilotta-Simeone, Second, Mr. Saiia, roll call vote, Mr. Lockwood, aye; Mr. Saiia, aye; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye. EPG will have information to the Planning Board by its February 13, 2012 meeting.

Information Meeting adjourned at 8:25 PM.

Audio and visual recording on file in Planning Office.

Good Evening.

My name is Bill Belisle. My wife, Angelina, and I reside at 642 West Street in Lunenburg, MA. Our home, like many other residents here this evening, resides adjacent to the planned site where EPG Solar plans to build a solar field across 20 acres. As a resident of the town of Lunenburg and a representative of the local community, we have serious concerns about this plan. I am going to state these concerns here tonight so that my fellow neighbors, Lunenburg town representatives and my community are fully aware. I would like these questions to be addressed with comprehensive and research-backed answers from EPG Solar:

1. Lease of Land from Twin City Baptist Church to EPG Solar and Zoning:

It is our understanding that the land owned by Twin City Baptist Church is permitted to only be used for residential purposes only. How is this property zoned locally in the town of Lunenburg and by the state of Massachusetts? Can the property be used – legally – by EPG Solar to build a solar field? Does the town of Lunenburg have any oversight on that approval and has that been given? We also would like to know if the conditions to which the land was originally retained by the Church allows it to lease the land to EPG Solar for its planned intentions, despite EPG Solar's

agreement with the Church to lease the property for 30 years.

2. **Generation of Noise in the Local Area:** Although we are told the solar panels themselves do not make noise, does the generation of electricity create noise, such as when one may drive by power lines and you can hear a “buzzing” sound? In my example, we all know that power lines themselves do not create noise, but we all have driven by power lines and have heard the “buzzing” sound.

3. **Safety and Security:** We have been told by EPG Solar that the solar field will be safe and secure and pose no

threat to the local community and adjacent homes. If that is the case, then why on page 11 of the power-point presentation distributed to us explaining the project does it say the development will have "warning signage on fence", on page 15 says "site will have day/night surveillance cameras" and on page 16 it says the "project will have limited access and security". Clearly, there are safety concerns that the neighborhood and town of Lunenburg should be aware of, especially since the adjacent homes have families and children. Also, is there any evidence that suggests the generation of electricity from the solar field does not

impact the maturity or health of children, adults and local wildlife?

4. **Increasing Temperature in the Local Area:** Recent media articles we have read note that some people believe to have witnessed a 10-15 degree increase in the vicinity of a solar field. How would this planned solar field affect the temperature in our neighborhood?

5. **Fencing, Greenery and Lighting:** Although the presentation shared with us shows a map on pages 7 and 9 of where the development of the solar field would be built, it is not clear exactly where a fence would be installed, its height, color, the material it will be

made of and what it would actually look like. Also, the land where EPG Solar wants to build slopes, so a ~~6~~⁸-foot fence in once section, as an example, will have a different impact in one area versus another. How is this all taken into account regarding the height of the fence? As a property owner who is literally adjacent to this proposed development, what will be the view from West Street?

On page 12, EPG Solar's presentation states "Hedge-like evergreen trees for additional screening". Where will these be placed, how tall and wide will they be? Will EPG be responsible for their care and replace them should they die

and need to be replaced? Is the purpose for this greenery to completely hide the fence?

Also, on page 11 of the presentation it states, "No lighting, only low-light cameras will be used for security." So clearly, there is lighting. What will this solar field look like at night, will it be visible from area residents and specifically, from the streets of West Street and Pleasant Street?

6. **Impact on Local Habitat and Wildlife:** As a local resident for many years, we are fortunate to have abundant local wildlife, from deer, to geese, to beavers to various types of birds. We

have seen them all live in the area for years and travel directly through the site of the planned development for this solar field. What research has been done on the impact on this wildlife? What has the Lunenburg Conservation Commission done to research the impact and how does it feel about this project?

7. Impact on Local Property Value:

What will be the impact of this planned development on surrounding residential property values? In the current economy, where property values have fallen across the country, including Lunenburg, this is a very serious concern for us area residents. We have come across several articles that seem to

convey there could be a negative impact. Although we understand there is little information known about the impact of solar fields on local property values, we, my fellow neighbors and the town of Lunenburg should not be used as a "guinea pig" to find out. **Our homes are our financial security!** To approve the development of a solar field to which neither the builder nor the town of Lunenburg knows the impact on local property values is careless and a grand disservice to us local taxpayers and long-standing members of this wonderful community. We believe area residents should be compensated to safeguard our property values should this development go forward because of

this, whether by the town of Lunenburg or EPG Solar itself.

Although we respect the town of Lunenburg's sustainability goals, we believe the approval and construction of this planned development is pre-mature without the proper analysis and research conducted to determine its direct effects on the local neighborhood, area residents – both adults and children – local wildlife and the town of Lunenburg itself.

We look forward to hearing a comprehensive, accurate and honest response from both EPG Solar and the town of Lunenburg.

Thank you.

Date: Mon, 23 Jan 2012 09:46:53 -0500 [01/23/2012 09:46:53 AM EST]

From: John Whalen <jwhalen4@gmail.com>

To: Baron Bowser <bbowser113@gmail.com>, "paula.bertram" <paula.bertram@verizon.net>, dmatthews@lunenburgonline.com, Nathan Lockwood <njlockwood@gmail.com>, msauvageau@lunenburgonline.com, mbenson@lunenburgonline.com, Tom Alonzo <tomalonzo@verizon.net>

Subject: Town Council's reply on Solar Bylaw...

1/23/2012

The legal opinion presented Town Council, has been keeping me up at night. We have a solar bylaw that allows solar equipment on any lot in town. But as town council indicated, do not have solar generation as a land use in section 4 of our bylaws, and if we "prohibit" solar, we run afoul of the vague Chapter 40A Section 3. And as far as an industrial business use on residential land, which isn't allowed by our bylaws either, he defends this position by comparing this to other business uses on residential land like agricultural farm stands. His logic seems tortured, but he's the lawyer. In all this, I fear the town is missing the point. The projects before us today are not in our best interest.

Understand that we specifically allow solar on all properties in town by bylaws in section 6. That is not debatable. We allow solar. We do not need to allow industrial power generation facilities, solar or otherwise if we do not deem it reasonable to site a project. That's the way it is. If we want to be a "green community" we do need to provide as of right siting for large scale solar, but we don't have such an ordinance. If our town is so serious about solar and municipal energy agreements, energy production from solar panels on our school, plans for it on our landfill, commercial businesses and homes using it already, then how can it be argued that we prohibit solar? If solar plans for our landfill will be threatened by these specific projects, then our current regulations are reasonable. Allowing these two projects to get sited using a loophole, to use up the capacity available through Unitil before we as a town do what is in the best interest of this town, its residents, and future generations. We should be using our bylaws to prevent them from happening. If town council says we prohibit this land use, then I agree with him.

If someone wants to argue that we'd lose this argument in court under Chapter 40A Section 3. I'd invite you to read that section, you might have trouble finding the part about solar as it's only a few sentences of that section. The state representatives that passed this law and our governor who proposed increasing the amount of solar generation in this state are politicians. Most have no clue about our electrical grid. They have no idea that the tax exemption legislation for solar equipment was written in the 70's when solar generation facilities were unheard of. They have no idea, like our planning board, that when legal council warns them in early 2011 that they should update their bylaws, what the impact will be. They see solar as a green power and revenue generating opportunity for the state. They don't anticipate out of state developers clear-cutting acres of trees or coming into residential areas, against the will of our residents, generating revenue for themselves, requesting to negotiate payment in lieu of taxes from cash strapped towns to make their projects profitable, while reaping the rewards from federal and state incentives, selling power generated on residential land for profit, gaining from tax credit investments for themselves, all with little benefit to the town in a manner inconsistent with our zoning and small town character.

If the town truly wants to be green, then we should use our capacity to the best extent possible, to both generate green energy, and revenue for the town of Lunenburg. We have more than enough land to cover our capacity in less invasive ways than these two projects. Maybe we should hold the line that we currently prohibit solar as primary land use. Chapter 40A does not mean any project can be sited anywhere, and there's nothing we can do about it. Use our bylaw as written until we can

amend it. Denying specific projects based on our bylaws is not "prohibiting" solar if we are allowing it in other more reasonable ways. If they want to change our bylaw, then go through town meeting and get it amended. As our planning board has stated repeatedly, we are "passionate about solar". There's no one in town looking to prohibit the use of solar. We are passionate about solar and green energy that maximizes the benefits to our residents and our town.

Regards,

John Whalen

526 W Townsend Rd

Lunenburg, MA 01462
